







ED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peter M. Dickstein, et al.

Examiner:

Unassigned

Serial No.: 09/752,650 Art Unit:

2185

Filed:

December 29, 2000

For:

SYSTEM AND METHOD TO ORGANIZE AND

MANAGE CORPORATE CAPITALIZATION

AND SECURITIES

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JUN 2 3 2003

Technology Center 2100

Special Programs Examiner Technology Center 3600

Mail Stop Petition

Steven N. Meyers

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION IN A PETITION TO MAKE SPECIAL FOR PENDING APPLICATION

JUN 2 6 2003

Dear Sir: 00000028 022666 01 FC:1460 130.00 DA

GROUP 3600

In response to the Decision on Petition to Make Special (Infringement) mailed May 6, 2003, the Applicants request reconsideration of the Decision. The Petition was dismissed on the basis that Applicants allegedly failed to send a copy of the references deemed most closely related to the subject matter encompassed by the claims.

[37 C.F.R. § 1.102(d) / MPEP § 708.2, II]

Applicants have fully complied with the requirement of MPEP 708.02 2(c) that the most closely related art be submitted. In an Information Disclosure Statement filed in the present case on October 1, 2002, Applicants did in fact submit the most closely related art as required under MPEP 708.02 2(c). Enclosed for the Examiner's review is a resubmission by copy of the 05284.P001 PATENT

Information' Disclosure Statement, PTO Form 1449, cited reference, postcard copy of the submission of October 1, 2002, and a copy of the return postcard showing that the cited reference was received by the Patent Office on October 7, 2002.

For these reasons, Applicants respectfully request withdrawal of the May 6, 2003 Decision and the granting of the subject Petition to Make Special.

The petition fee of \$130 was previously submitted with the December 17, 2002 petition. If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the processing of this petition, the Examiner is invited to contact Jim H. Salter at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: $\frac{6}{3}$, 2003

James H. Salter (Reg. No. 35,668)

Customer No. 008791 12400 Wilshire Blvd. Seventh Floor Los Angeles, CA 90025-1026 (408) 720-8300

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Steven N. Meyers, Special Programs Examiner, Technology Center 3600, Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 13, 2003.

Barbara Skliba	
Name of Person Mailing Correspondence	
Brebre Sklilz	6/13/03
Signature	Date





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Technology Center 2100

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LOS ANGELES

Serial/Patent No.: 09/752,650 Client: eProsper	Filing/Issue Date: 12/29/2000
Title: System And Method To	0
Capitalization And Secur	Organize And Manage Corporate
BSTZ File No.: 05284 . P001	TETES
Date Mailed: 10/01/2002	Atty/Secty Initials: JHS/cmw
The following has been received in the U.S. Por	Docket Due Date: ***** tent & Trademark Office on the date stamped hereon:
Amendment/Response (pgs.)	
Appeal Brief (pgs.) (in triplicate)	
Application - Utility (pgs., with cover and abstract)	Month(s) Extension of Time Amt: ■ ±Information Disclosure Statement & PTO-1449 (
Application - Rule 1.53(b) Continuation (pgs.)	Issue Fee Transmittal
Application - Rule 1.53(b) Divisional (pgs.)	□ Notice of Appeal
Application - Rule 1.53(b) CIP (pgs.)	Petition for Extension of Time
Application - Rule 1.53(d) CPA Transmittal (pgs.)	□ Petition for
Application - Design (pgs.)	Postcard 2 7000 9
Application - PCT (pgs.)	Power of Attorney (pgs.)
Application - Provisional (pgs.)	Preliminary Amendment (pgs.)
Assignment and Cover Sheet	Reply Brief (ngs)
Certificate of Mailing	Response to Notice of Missing Parts
Declaration & POA (pgs.)	Small Entity Declaration for Indep. Inventor/Small Business
	☐ Transmittal Letter, in duplicate
Drawings: # of sheets includes figures	Fee Transmittal, in duplicate
Copy of one cited	reference.

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JUN 2 3 2003

Technology Center 2100

Serial/Patent No.: 09/752,650	Filing/Issue Date: 12/29/2000					
Client: eProsper						
Title: System And Method To	Organize And Manage Corporate					
Capitalization And Secur	ities					
BST7 File No: 05284 P001 Atty/Secty Initials: JHS/cmw						
Date Mailed: 10/01/2002	Docket Due Date: *****					
	ent & Trademark Office on the date stamped hereon:					
Amendment/Response (pgs.)	Express Mail No.: Check No					
Appeal Brief (pgs.) (in triplicate)	Month(s) Extension of Time Amt:					
Application - Utility (pgs., with cover and abstract)	Information Disclosure Statement & PTO-1449 (_pgs.)					
Application - Rule 1.53(b) Continuation (pgs.)	Issue Fee Transmittal Amt:					
Application - Rule 1.53(b) Divisional (pgs.)	☐ Notice of Appeal					
Application - Rule 1.53(b) CIP (pgs.)	Petition for Extension of Time					
Application - Rule 1.53(d) CPA Transmittal (pgs.)	Petition for					
Application - Design (pgs.)	Postcard					
Application - PCT (pgs.)	Power of Attorney (pgs.)					
Application - Provisional (pgs.)	Preliminary Amendment (pgs.)					
Assignment and Cover Sheet	Reply Brief (pgs.)					
Certificate of Mailing	Response to Notice of Missing Parts					
Declaration & POA (pgs.)	Small Entity Declaration for Indep. Inventor/Small Business					
Disclosure Docs & Orig & Copy of Inventor's Signed Letter (pgs.)	☐ Transmittal Letter, in duplicate					
Drawings: # of sheets includes figures	Fee Transmittal, in duplicate					
■ Other: Copy of one cited	reference.					

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Attorney's Docket No. 05284.P001

PATENT

IN THE UNITED STATES PATER	NI AND TRADEMARK OFFICE
In Re Patent Application of:	
Peter M. Dickstein et al.	Confirmation No.: 1500
Application No.: 09/752,650	Art Unit: 2185
Filed: December 29, 2000	RECEIVED
For: System And Method To Organize) JUN 2 3 2003
And Manage Corporate Capitalization And Securities	Technology Center 2100
Assistant Commissioner for Patents Washington, D.C. 20231	
<u>INFORMATION DISCI</u> Sir:	LOSURE STATEMENT
Enclosed is a copy of Information Dis	sclosure Citation Form PTO-1449 together
with copies of the documents cited on that for	rm. It is respectfully requested that the cited
documents be considered and that the enclose	ed copy of Information Disclosure Citation
Form PTO-1449 be initialed by the Examine	r to indicate such consideration and a copy
thereof returned to applicant(s).	
I hereby certify that this correspondence is being deposited with sufficient postage in an envelope addressed to the Assi on October 1, 2002 (Date o	with the United States Postal Service as first class mail stant Commissioner for Patents, Washington, D. C. 20231
Claire Wallters (Typed or printed name of person mailing correspo	ndence) RECEIVED
(Signature of person mailing corresponder	0111200=

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of

09/752,650

the appropriate paragraph):

<u>:</u>)
/

XX 37 C.F.R. §1.97(b).

37 C.F.R. §1.97(c). If so, then enclosed with this Information ECEIVED Disclosure Statement is one of the following:

A statement pursuant to 37 C.F.R. §1.97(e) or

JUN 2 3 2003

A check for \$180.00 for the fee under 37 C.F.R. § 1.17(Jechnology Center 2100

37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:

- (1) A statement pursuant to 37 C.F.R. §1.97(e); and
- (2) A check for \$180.00 for the fee under 37 C.F.R. §1.17(p) for submission of the Information Disclosure Statement.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOBF, TAYLOR & ZAFMAN LLP

Dated: $\sqrt{\rho}/\sqrt{2}$, 2002

James H. Salter Reg. No. 35,668

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Seventh Floor

Los Angeles. CA 90025-1026

(408) 720-8300

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Substitute for Form 1449A/PTO (Modified)

Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

of

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Complete if Known				
Application Number	09/752.650			
Filing Date	12/29/2000			
First Named Inventor:	Peter M. Dickstein			
Group Art Unit	2185			
Confirmation No.:	1500			
Attorney Docket Number	05284.P001			

				U.S. PATENT DOCUMENTS		
	Exam. Cite U.S. Patent Document Number Kind		t Document Kind	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant
		Code ²	(If known)			Figures Appear
JUN 1	7 m 6	5,671,363		Cristofich et al.	09-23-1997	
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					JUL	2 3 2003
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Exam. Cite Foreign Patent Document Initial* Office³ Number⁴ Kind Code⁵ (If known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T°		
					REC	EIVED	
					JUN	2 6 2003	
<u> </u>					GRO	UP 3600	

Examiner	Date Considered	
Signature		

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard S.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.